

Exhibit No. 5Date 2/11/09Bill No. SB 394

February 10, 2009

To members of the Senate State Administration Committee:

On behalf of Montana Conservation Voters, I would like to ask that you oppose SB 394 (Bales), a proposal to remove the restriction against conducting federal, state or county elections entirely by mail ballot. This bill would eliminate polling places in any county that chooses to implement a mail ballot election.

Montana Conservation Voters is a statewide organization that works to register Montanans to vote, provides information on the election process, encourages voters to cast their ballot, and works to make elections more efficient and accessible for voters.

MCV is not opposed to mail ballots. We worked with the HJR 46 work group and the interim SAVA committee throughout the last interim on the issue of mail balloting, testified we could support a well-structured mail ballot pilot program to assess the affects of holding all elections by mail, and offered amendments to the mail ballot pilot program in HB 18 to improve the program and ensure that voting remains accessible to all qualified Montana voters.

SB 394, however, does even less to ensure that procedures are in place to accommodate voters:

- There are no staffed places of deposit and no secure drop sites, both of which would enable rural voters and people with disabilities to use Automarks and deposit ballots at locations that might be more convenient and accessible than a trip to the county courthouse.
- The time frame for mailing ballots remains at as little as 15 days before the election, which is not sufficient time for election administrators to follow up with voters for whom forwarding addresses are received in order to verify their new addresses and send them ballots in time to vote.

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- There are no provisions in the mail ballot counties for additional outreach to inactive voters who currently activate at polling places. Inactive voters, which number in the tens of thousands, would not receive a mail ballot. An inactive voter may not realize he or she has not received a ballot until close to Election Day, necessitating a trip to the county election office to confirm the voter's address and cast a ballot. The mail ballot pilot program must ensure that inactive but otherwise qualified voters are not denied reasonable opportunities to vote. We had asked that HB 18 provide for one additional mailing to inactive voters before the primary reminding them to confirm their address or they would not receive a ballot.

Because this is not a pilot program, and therefore no data collection or evaluation, there is no special attention given to procedures such as signature verifications, mailing procedures and coordination with the USPS at a local or statewide level. There is also little likelihood that there will be any kind of analysis of the effects of holding elections by mail on populations such as Native Americans, or on certain transitional populations, such as low income or young voters. While the data might be retrievable, not all such data will be retrievable without planning in advance, and no one has agreed to evaluate the data that might be collected.

We urge you to oppose the bill.

Thank you

Sarah Coble

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